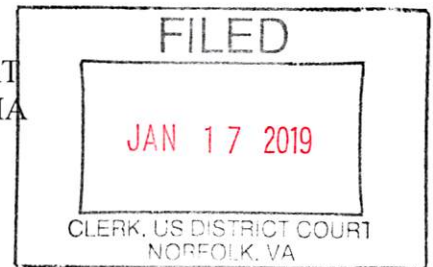


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



MARCUS A. LAWRENCE, #08252-007,

Petitioner,

v.

CIVIL NO. 2:18CV63

ERIC D. WILSON, Warden,

Respondent.

FINAL ORDER

Before the Court is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2241. ECF No. 1. The *pro se* Petitioner seeks reconsideration of the Bureau of Prison's finding that he is ineligible for § 3621(e) early release because of his Conviction for Possession of a Firearm by a Convicted Felon. On April 27, 2018, the Respondent filed a Motion to Dismiss. ECF No. 3. Petitioner filed a response to the Motion to Dismiss on May 23, 2018. ECF No. 5.


The matter was referred for disposition to a United States Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(B)-(C), Federal Rule of Civil Procedure 72(b), Local Civil Rule 72, and the April 2, 2002 Standing Order on Assignment of Certain Matters to United States Magistrate Judges. In a Report and Recommendation entered on November 15, 2018, the Magistrate Judge recommended that the relief sought by the Respondent's Motion to Dismiss be GRANTED, and the Petition be DENIED AND DISMISSED WITH PREJUDICE. ECF No. 6. The parties were advised of their right to file written objections to the Report and Recommendation. Neither Petitioner nor the Respondent have filed objections with the Court.

Having reviewed the record and having heard no objection, the Court agrees with the Report and Recommendation on the grounds stated by the Magistrate Judge. The Court **ADOPTS** and **APPROVES** the Report and Recommendation, ECF No. 6, in its entirety. Accordingly, Respondent's Motion to Dismiss (ECF No. 3) is **GRANTED**, and the Petition, ECF No. 1, is **DENIED** and **DISMISSED WITH PREJUDICE**. It is **ORDERED** that Judgment be entered in favor of Respondent.

Petitioner is advised that he may appeal from the Judgment entered pursuant to this Final Order by filing a written Notice of Appeal with the Clerk of the Court at the Walter E. Hoffman United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within sixty days from the date Judgment is entered. Because Petitioner has failed to demonstrate a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c) and Federal Rule of Appellate Procedure 22(b)(1), the Court declines to issue a certificate of appealability. *See Miller-El v. Cockrell*, 537 U.S. 322, 335 (2003).

The Clerk is **DIRECTED** to forward a copy of this Order to Petitioner and counsel of record for Respondent.

It is so **ORDERED**.



Arenda L. Wright Allen
United States District Judge

Arenda L. Wright Allen
United States District Judge

Norfolk, Virginia

Date:

January 17th, 2019